

RECORDATION NO 27223-R

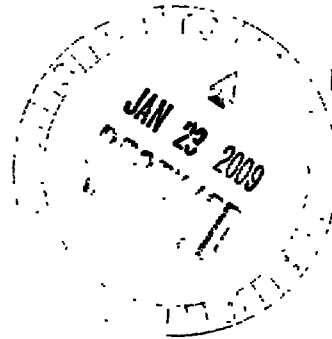
JAN 23 '09

2-29 PM

**FIRST UNION RAIL**

One O'Hare Centre  
6250 River Road, Suite 5000  
Rosemont, IL 60018

**SURFACE TRANSPORTATION BOARD**



**VIA UPS 2<sup>nd</sup> DAY AIR**

January 15, 2009

Ms. Anne K. Qumlan  
Surface Transportation Board  
395 E. Street, Suite 100  
Washington, D.C. 20024  
Attn: Recordation of Railroad Equipment

**Re: Memorandum of Lease**

Dear Ms. Qumlan:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) originals and one (1) copy of a Memorandum of Lease dated January 12, 2009, a secondary document as defined in the Board's Rules for the Recordation of Documents. The enclosed document relates to the Lease Agreement which was duly filed with the Surface Transportation Board under Recordation Number 27223.

The names and addresses of the parties to the enclosed document are:

Lessor	First Union Rail Corporation One O'Hare Centre 6250 River Road, Suite 5000 Rosemont, IL 60018	Lessee	CCB Enterprises, Inc. 1127 East Service Rd Hwy 190 Covington, LA 70433
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A description of the railroad equipment covered by the enclosed document is twenty five (25) 4550-4750 cu. ft. capacity, covered hopper cars, having FURX and NDYX marks (see Exhibit A for car numbers).

A short summary of the document to appear in the index follows. **Memorandum of Lease**

Also enclosed is a check in the amount of \$41.00 payable to the order of the Surface Transportation Board covering the required recordation fee. Kindly return one (1) stamped original of the enclosed document to the undersigned along with the additional copies.

If you have any questions regarding the above-referenced matter, please contact me at (847) 384-5397. Thank you for your cooperation in this matter.

Sincerely,

Marcia Dunne  
Senior Documentation Specialist

Enclosures  
(cc'd, 00's)

JAN 23 '09

2-29 PM

ASSGN. NO.: CGBE003

## MEMORANDUM OF LEASE

SURFACE TRANSPORTATION BOARD

THIS MEMORANDUM OF LEASE (the "Memorandum") is made and entered into as of this the 12<sup>th</sup> day of January, 2009, by and between First Union Rail Corporation ("Lessor"), a North Carolina corporation, and OGB Enterprises, Inc. ("Lessee"), a Louisiana corporation.

WITNESSETH:

The undersigned Lessor and Lessee have entered into that certain Lease Agreement (the "Lease"), dated as of October 24, 2007, whereby Lessor has agreed to lease to Lessee certain railcars pursuant to Rider No. 3 to the Lease (the "Rider"), as described in more particular on Exhibit A attached hereto, effective as of September 11, 2008, and subject to the terms, conditions and provisions of the above-mentioned Lease and Rider.

IN WITNESS WHEREOF, the parties hereto have each caused this Memorandum to be duly executed under seal by their respective officers duly authorized as of the date and year first above written.

LESSOR:

FIRST UNION RAIL CORPORATION

ATTEST:

By: Richard F. SeymourName: RICHARD F. SEYMOURVICE PRESIDENT SALES & MARKETING

Title: \_\_\_\_\_

By: Susan GrokulskaName: SUSAN GROKULSKYASSISTANT DIRECTORTitle: OF DOCUMENTATIONExecuted on this 12<sup>th</sup> day of January, 2009.

[CORPORATE SEAL]

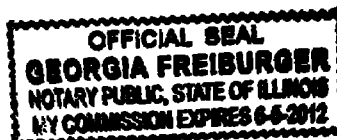
STATE OF ILLINOISCOUNTY OF COCK

I, GEORGIA FREIBURGER, a Notary Public of the County and State aforesaid, certify that RICHARD F. SEYMOUR personally appeared before me this day and acknowledged his/her due execution of the foregoing Memorandum of Lease.

WITNESS my hand and official stamp or seal, this 12<sup>th</sup> day of January, 2009.

Georgia Freiburger  
Notary Public

My Commission Expires:

6-2012  
(Notary Public)

**LESSEE:**

CGB ENTERPRISES, INC.

ATTEST:

By: KH Hall

Name: Kent Hall

Title: Rail Transportation Mgr

By: [Signature]  
Name: Richard Pemberton

Title: VP, CFO & Secretary

Executed on this 5<sup>th</sup> day of January, 2009.

[CORPORATE SEAL]

STATE OF Louisiana  
Parish  
COUNTY OF St. Tammany

I, Sean G. Butler, a Notary Public of the County and State aforesaid, certify that Kent Hall personally appeared before me this day and acknowledged his/her due execution of the foregoing Memorandum of Lease.

WITNESS my hand and official stamp or seal, this 5<sup>th</sup> day of January, 2009.

[Signature]  
Notary Public

Commission Expires:

At Death  
(Notary Public)

**EXHIBIT A**  
**to**  
**MEMORANDUM OF LEASE**

**NUMBER OF CARS:**                      Twenty-five (25)

**DESCRIPTION OF CARS:**        4550-4750 cu. ft. capacity, non-lined covered hopper cars with  
263,000-268,000 GRL. (Car type C113).

**CAR NUMBERS:**

FURX	818712
FURX	826254
FURX	827702
FURX	829455
FURX	833257
NDYX	820962
NDYX	821617
NDYX	822304
NDYX	822305
NDYX	822434
NDYX	822437
NDYX	822448
NDYX	822461
NDYX	825005
NDYX	826623
NDYX	827489
NDYX	827933
NDYX	827964
NDYX	827972
NDYX	827980
NDYX	827995
NDYX	828004
NDYX	828021
NDYX	828043
NDYX	828050